

NOTICE OF PUBLIC HEARING

Thursday, September 14, 2000

**(Hearing to be conducted in the City of Compton.
Contact the Board's Office for detailed information)**

The State Mining and Geology Board will conduct a public hearing at its regularly scheduled business meeting on Thursday, September 14, 2000 pursuant to the provisions of the Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code Sections 2710 et seq.) to receive comments from the public and other interested parties on the following reclamation plan submittal:

**California Mine ID # 91-19-0004, Atkinson Brick Company,
Los Angeles Plant, City of Compton**

BACKGROUND: Under the Surface Mining and Reclamation Act of 1975, a surface mining operation must have a reclamation plan and financial assurances approved by its respective lead agency (city or county) prior to engaging in surface mining activities (PRC § 2770). SMARA requires lead agencies to adopt surface mining ordinances in accordance with State Policy which establish procedures for the review and approval of reclamation plans and financial assurances, and the issuance of a permit to conduct surface mining operations (PRC § 2774).

On August 14, 1998 the Policy Committee of the State Mining and Geology Board (SMGB) reviewed the City of Compton's Surface Mining and Reclamation Ordinance and concluded that the 1982 ordinance was out of date and no longer in accordance with the requirements of the current Surface Mining and Reclamation Act of 1975. In September, 1998 the SMGB office informed the City of Compton (City) of the necessity to revise its surface mining ordinance. Also, in September 1998 Atkinson Brick Company submitted a new reclamation plan and financial assurance proposal to the City for approval.

The City is fully urbanized with the exception of the Atkinson Brick Company's mining facility. This mining site was established in 1939, and never was subject to the City's zoning ordinance.

Since the City possessed a deficient mining ordinance, and believed it did not have at the time the local expertise to review and approve a surface mining reclamation plan and financial assurance, it voluntarily deferred the review and approval process to the SMGB. On December 31, 1998 the SMGB assumed the SMARA authority for review and approval of reclamation plans when the City did not provide a revised ordinance for SMGB certification within 90 days as provided by PRC § 2774.5.

On January 15, 1999 Atkinson Brick Company (Company) submitted a reclamation plan and financial assurance cost estimate for its Los Angeles Plant (in the City of Compton) to the SMGB for its review and approval. Following the review of several drafts by the Department of Conservation's Office of Mine Reclamation (OMR)

and SMGB staff, a reclamation plan and financial assurance cost estimate that appear to meet the minimum requirements of SMARA were submitted in September, 1999. At that time, the operator was advised that the California Environmental Quality Act (CEQA) would have to be addressed, and that lacking any CEQA documentation from the City or the Company, the SMGB would need to prepare the documentation. The SMGB contracted with OMR to perform the CEQA review.

PROJECT DESCRIPTION: The project is a reclamation plan for Atkinson Brick. This highly disturbed 49.53-acre site has been mined since 1939; mining will continue on the site for another 20-25 years. Mining, which is not a part of this project and Initial Study, will leave depressions, approximately 65 feet deep (at the 38' MSL line). Mining will be accomplished in two phases. The western half of the site (Area II) will be mined out first, followed by the eastern half of the site (Area III). Reclamation will fill these depressions up to the 50' MSL line using waste fines produced from processing the mined materials and imported inert fill material. Reclamation will also be accomplished in two phases. Phase One Reclamation will be accomplished on Area II by December 2015; Phase Two Reclamation will be accomplished on Area III by December 2028. The final site configuration for both phases permitted under this reclamation plan is a depression, approximately 50' deep. Reclamation will occur concurrently with mining in the areas that have achieved the final mined elevation (38' MSL). Side slopes will be generally at 2:1 (H:V), except for one existing final slope that has been determined to be stable and has completely revegetated (the west slope). The slope that deviates from the 2:1 criterion is noted on the site plan. The site will be reclaimed to a condition suitable for other beneficial land uses, such as continued industrial uses. Final development of the site for such future uses is not part of this reclamation plan. The project site is in a M2 (heavy manufacturing) area; therefore, the final use is compatible with existing zoning.

CALIFORNIA ENVIRONMENTAL QUALITY ACT: An Initial Study and Mitigated Negative Declaration have been prepared for this site by the State Mining and Geology Board acting as lead agency. These CEQA documents were submitted to the State Clearinghouse and released for general circulation on April 24, 2000. The general comment period ended May 23, 2000. The City of Compton was provided until June 12, 2000 to complete its comments.

For further information regarding this public hearing or the reclamation plan, please contact the Executive Assistant, State Mining and Geology Board, 801 K Street, MS 24-01, Sacramento, California 95814; or at (916) 322-1082.